

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

RONALD DUNBAR
Defendant.

6:21-CR-196-ADA

**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the Report and Recommendation of United States Magistrate Judge Jeffrey C. Manske. ECF No. 19. The Report that the defendant's supervised release be revoked and that he be remanded to the custody of the U.S. Marshal for eight months, with no supervision to follow. *Id.* at 4. The Report also recommends that this sentence run concurrently with his time in case 6:21-CR-197-ADA, with no supervision to follow. *Id.*


A party may file specific, written objections to the proposed findings and recommendations of the magistrate judge within fourteen days after being served with a copy of the report and recommendation, thereby securing *de novo* review by the district court. 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b). Here, the Defendant filed a notice of appeal to this Court. ECF No. 17. The Court interprets that notice as an objection to Judge Manske's Report, thereby securing *de novo* review.

Considering Defendant's letter, the Court has undertaken a *de novo* review of the Report and Recommendation. The Court finds that Defendant's objection should be overruled. In his objection, Mr. Dunbar argues that his medical issues should preclude him from being returned to the custody of the U.S. Marshal, and that he should serve the remainder of his sentence in a halfway

house or home confinement. *Id.* He does not object to the revocation of his supervision, but rather objects to the place in which he will be required serve the remainder of his sentence. Once he is in federal custody, the location of Mr. Dunbar's imprisonment is not up to this Court, but instead is determined by the Bureau of Prisons ("BOP"). 18 U.S.C. § 3621(b). The decision whether to place Mr. Dunbar in a halfway house or in home confinement is thus committed to the BOP. *Brown v. Underwood*, No. 3:19-CV-1706-B-BN, 2019 WL 5580106, at *2 (N.D. Tex. Aug. 22, 2019), *report and recommendation adopted*, 2019 WL 5579198 (N.D. Tex. Oct. 28, 2019). Because Mr. Dunbar does not object to Judge Manske's Report that recommends revoking his term of supervision, the Court will therefore accept and adopt the Report and Recommendation for the reasons stated therein.

IT IS THEREFORE ORDERED that the Report and Recommendation of United States Magistrate Judge Manske, ECF No. 19, is **ACCEPTED AND ADOPTED**.

SIGNED this 22nd day of February, 2022.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE